

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q73193

Zeev LIKWORNIK

Appln. No.: 10/608,534

Group Art Unit: 2614

Confirmation No.: 8254

Examiner: Binh Kien TIEU

Filed: June 30, 2003

For: TELEPHONE BASED METHOD AND SYSTEM FOR ADDING CONTACTS TO A
PERSONAL NETWORK ADDRESS BOOK

**DECLARATION OF PRIOR INVENTION TO OVERCOME CITED PATENT OR
PUBLICATION (37 C.F.R. § 1.131)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Purpose of Declaration

1. This declaration is to establish conception of the invention in this application at a date at least prior to September 11, 2002, the effective date of the following applied reference:

US Patent No. 7,035,393 to Silver et al.

This declaration is also to establish diligence in the preparation and filing of the application from the effective date of the Silver reference to the filing date of the instant application on June 30, 2003.

2. The person making this declaration is the assignee of interest of the subject matter of the rejected claims. (MPEP 715.04)

Facts and Documentary Evidence

3. To establish the date of conception and diligence until the date of filing of the invention of this application, the following attached documents are submitted as evidence:

DECLARATION OF PRIOR INVENTION IN THE U.S. TO
OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)
U.S. Application No.: 10/608,534

- Comverse Invention Disclosure (attached to email correspondence from the Inventor to Comverse Counsel on a date at least prior to September 11, 2002);
- Email Correspondence from the Inventor submitting invention disclosure to Comverse Counsel for review on August 28, 2002;
- Email Correspondence from Comverse Counsel to Patent Counsel on November 24, 2002, requesting a patent search and patentability opinion on the Invention Disclosure (#985);
- Letter Correspondence from Patent Counsel to Comverse Counsel on January 13, 2003, reporting on opinion as to patentability of invention disclosure;
- Email Correspondence from Comverse Counsel to inventor on February 3, 2003, approving invention disclosure for preparation of patent application;
- Email Correspondence from Comverse Counsel to Patent Counsel on February 3, 2003, requesting preparation of a patent application on the subject matter of the invention disclosure;
- Email Correspondence from Patent Counsel to Inventor on March 31, 2003, forwarding first draft of the patent application for inventor review;
- Email Correspondence from Inventor to Patent Counsel on April 3, 2003, forwarding comments on the first draft of the application;
- Email Correspondence from Patent Counsel to the Inventor on April 7, 2003, forwarding revision to the application draft;
- Email Correspondence from Inventor to Patent Counsel on June 8, 2003, approving the application draft;
- Email Correspondence from Patent Counsel to Comverse Counsel on June 9, 2003, forwarding revised application draft for approval;

DECLARATION OF PRIOR INVENTION IN THE U.S. TO
OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)
U.S. Application No.: 10/608,534

- Email Correspondence from Comverse Counsel to Patent Counsel on June 11, 2003, forwarding revision to application draft;
- Email Correspondence from Patent Counsel to Comverse Counsel on June 19, 2003, forwarding final application draft for approval;
- Email Correspondence from Comverse Counsel to Patent Counsel on June 29, 2003, approving the final application draft for filing;
- Image from Patent Counsel Document Management Screen evidencing the following:
 - Preparation of first application draft document “Q73193: AP.KWF” on March 31, 2003;
 - Preparation of revision to application drawings “Q73913: Fig 2 (revised 4/4/03)” on April 4, 2003;
 - Preparation of final version of first application draft, “Q73193: Finalized First Draft,” “Q73193 Fig. 2,” and “Q73193 Fig. 1,” on June 9, 2003;
 - Preparation of final draft of application, “Q73193 Finalized Draft (marked up version) (6/18/03),” and “Q73193 Finalized Draft (clean version),” on June 18, 2003;

Conception

4. The attached Comverse Invention Disclosure, transmitted by email from the Inventor to Comverse Counsel on a date at least prior to September 11, 2002, establishes the conception of the invention recited in the rejected claims at least prior to September 11, 2002, which is the effective date of the Silver reference.

DECLARATION OF PRIOR INVENTION IN THE U.S. TO
OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)
U.S. Application No.: 10/608,534

Diligence

5. The attached multiple documents also establish diligence beginning from prior to the effective date of the Silver reference on September 11, 2002, until the date of filing of the application on June 30, 2003. (MPEP 715.07(a)).

Time of Presentation of the Declaration

6. This declaration is submitted before a final office action. This declaration is necessary to overcome a ground of rejection appearing in the non-final office action of June 5, 2008. Therefore, the declaration is timely. (MPEP 715.09).

Declaration

As person signing below, I hereby declare as follows:

I am the representative of the assignee of record, Comverse, LTD., of the subject matter claimed in the present patent application.

The Declaration under 37 C.F.R. § 1.131 submitted to the USPTO on April 4, 2008, and executed by the inventor of record, Zeev Likwornik, establishes conception of the invention prior to September 11, 2002, as well as diligence from November 24, 2002, to the filing of the instant application on June 30, 2003. The instant Declaration further serves to establish diligence from at least prior to September 11, 2002, to November 24, 2002.

I do not have personal knowledge of the review of this Comverse Invention Disclosure. However, our records indicate that the Comverse Invention Disclose was submitted by the inventor to Comverse in August 2002, and was presented to the December 2002 Patent Committee. In general, a Patent Committee is gathered every 3-4 months to evaluate submitted invention disclosures, and the December 2002 meeting is consistent with Comverse procedures.

**DECLARATION OF PRIOR INVENTION IN THE U.S. TO
OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)**
U.S. Application No.: 10/608,534

As submitted herein, email records indicate that the Comverse Invention Disclosure was submitted to Comverse Counsel on August 28, 2002. Comverse Counsel then requested Patent Counsel to conduct a patent search for the subject matter of the Comverse Invention Disclosure on November 24, 2002. The Comverse Invention Disclosure was then presented to the Patent Committee in December 2002.

The aforesaid attached evidence clearly establishes diligence from at least prior to September 11, 2002, to the filing date on June 30, 2003. In addition, the information regarding the procedures that occur during the review of an invention disclosure further demonstrate that the Applicant and Assignee were diligent from at least September 11, 2002, to the filing date on June 30, 2003.

I hereby declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application or any patent issuing thereon.

Signature

A. Assignee of Record

Full name of representative of assignee: Gil Kalmanovich

Representative's signature _____

Date 7-OCT-03 Title IP manager

Assignee Address: Habarzel 29 ST. Tel-Aviv
ISRAEL